L.7.317-96

G. R. S. IX-5]

Previous references.

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1896-7.

~~191~~ .

(Munl.)

File No. 41-96.

Serial Nos. 44-49

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 44-49.

On ~~Part~~ B for August 1903.

SUBJECT.

Bye-laws of the Bangalore City Municipality.

For the Sanction of a Set of Rules for the Conduct and regln of Business at the Board's Meetings (From the Presdt. of the Munl. Commrs. Bangalore City.)

W D 86—GPB—50,000—24-7-16

OFFICE OF THE DEWAN OF MYSORE,
(REVENUE AND GENERAL DEPARTMENTS)

1. Statement of case in narrative form in regular sequence of subject matter or date.
2. Opinions to be stated only as supported by precedents, or general rules which should always be quoted.
3. Serial numbers in file, &c., to be always stated.
4. Dates of important documents referred should be given.
5. Write on both sides, leaving the same side as margin

‡ 1 No and date of latest letter or paper.
2 Catch words to show nature of subject.
3 Subject to be in red and body of note in black ink.

(Full Office Note.)

‡ **Subject.** Letter no 243 dated the 8th May '08 from the President of the Municipal Commission, Bangalore City, submitting for sanction a set of Rules for the conduct and regulation of business at the Board's meetings.

* **Note.**

The President of the Bangalore City Municipality submits for the sanction of Government a set of Rules for the conduct and regulation of business at the Municipal Meetings. All except Rule VII have been approved by the Board.

At present no Bye-laws exist in the City Municipality prescribing the mode of conducting the proceedings of Municipal Meetings although sections

of the Municipal Regulations prescribe the mode of transacting the business of the Municipality. In the Local Station Municipality there are a definite set of Bye-laws to regulate the proceedings of the Board's meetings (vide chapter X of the Compilation of Bye-laws submitted)

Subscribes for orders It is doubtful whether under the present Municipal Regulations, the Commissioners can frame Bye-laws for the conduct of proceedings of the meetings unless that is also considered as falling within the category of "any of the purposes of the Municipal Regulation". (vide section 225). Under the draft Municipal Regulation however, it is obligatory on the part of every Municipal Council, as soon as the constitution thereof, to make rules "regulating the conduct of business"

Draft 4/6/63

A statement showing in juxtaposition rules now proposed and the rules nearly corresponding to them if any, in force in the Cantonment is submitted. The rules nos. 1, 2, 8, 9, part of 10, 13, 14 to 19, 21, 23 & 25 of the Cantonment Bye-laws do not find a parallel in the set of Rules now submitted by the President

2nd 25, 6103

29/6/03

There is no doubt that the Board has power to frame bye-laws for this purpose. But I think that the Commissioner Board may well wait till the new Reg is passed & then submit any bye-laws that may be required to supplement its provisions. May a reply to this effect be given?

10/7/3

To the Dewan.

I am unable to agree with the Secretary. The Bye laws referred to in sections 225 to 230 of our Municipal Regulation, are I think, Bye laws affecting the

the Public, the infringement
of which is punishable by law.
I can find in that Regulation
no provision in regard to
the framing of bye-laws for
the conduct of proceedings
at meetings similar to
that contained in Section
32 (d) of the Local Municipal
Law & Section 46 (1)
of our draft Regulations.
~~Under~~ that being so I am
of opinion that the Board
may be asked to await
the passing of the new Regulations
till the Parliamentary Session
when with a further experience
of his views if he still thinks
that the bye-laws or rather
under the question come
within the provisions of the
present Municipal Regulations?

13/7/03

Les -

Is there no power to enunciate any general principle (except in the case of express rules) that the Court may not frame any rule of its own motion? I also think that it is open to the Court to give its reasons for its decision.

Hume.

1/7/13.

* I have not been able to trace any such enunciation of general principle.

The Municipal Com- 27-7-13
missioners have the right, under section 22, to ~~decide~~ ~~do so~~ decide ~~all questions~~ by a majority of votes all questions which may come before them, except where the Regns provide otherwise. ~~The Regns have~~ So far as the proposed Rules are not covered by, or inconsistent with, any thing contained in the Regns, I do not see why the Comrs may not frame any rules they think fit for their own guidance. Such Rules are not bye-laws under s. 225,

* The question of framing such rules being "a question coming before them for decision."

And do not require confirmation by Govt.

27.7.03

To the 2nd Counsellor

27/7/03

139
28.7.03

On further consideration I am inclined to think that these ~~[illegible]~~ Regulations for the conduct of business and Bye-laws requiring Govt sanction to the Board are themselves framed with a specific reference to them - both this observation the rules may be remitted to the President for his consideration

30/7/03

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Agreed

31 VII.03

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A. S. ch
9/8/03
Recd
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From

The President,
Municipal Commission,
Bangalore City.

To

The Secretary to the Government of
His Highness the Maharaja of Mysore,
Genl. & Rev. Departments.
Bangalore.

Dated 8 May 1903
Despatched 11 May 1903
Received

General No. 243
No.

Enclosure No. 1 folio.

Submitting for Sanction a set of rules for guidance of members during the Boards meetings as approved in the meeting of the 30 April 1903.

L 7
15 5 03

Put with the papers flagged.

OFFICE OF THE MUNICIPAL COMMISSION,

City Bangalore, May 8th 1903.

No. 243

From

THE PRESIDENT,
Municipal Commission,
Bangalore City.

To

The Secretary to the Government
of His Highness the Maharaja of Mysore,
General & Revenue Departments,
Bangalore.

Sir,

I have the honor to submit herewith for the sanction of Government — Draft Rules for the Conduct and regulation of business at the Municipal Meetings together with the Board's resolution dated the 30th ultimo approving the same. At present there are no definite rules on the subject for the guidance of the Commissioners and the want of a set of rules clearly defining the procedure to be followed by

6 the individual members during the meetings
b
is often felt of late. The enclosed rules
may therefore be kindly sanctioned.

I have the honor to be

Sir,

Your most obedient Servant,

President

MSK

Extract from the Proceedings of an

Ordinary Meeting of the Board held

30th April 1903

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7 Consideration of draft rules for the

conduct of business at the City Municipal

Meetings

Resolution - Passed with the modification

of Rule No VII. Proposed by Mr Bronson

and Seconded by Mr Appleyard that these

rules be printed in Canarese and English

and be distributed amongst the members

also that each member be provided with

a copy of the Bye-laws & Regulations and

Map if procurable the whole to be compiled

in one book. Copy

Sd/ H H Sparks

Secretary

Mysore Govt, Gen. & Rev. Secretariat

Local Boards Branch

File No. (if any) and its date—

Section — Mul

No — 41-96

Serial No. — 45.

R 627-8 8/8/03.
L.J 317-96

Ch: one file of rules to the President, Bangalore city.

Office Draft.

Progs. of the Govt. of H. H. the Maharaja of Mysore.

Read :-

Letr no 243 dated the 8th May 1903 from the President of the Municipal Commission, Bangalore City, submitting for sanction a set of Rules for the conduct and Regulation of business at the Boards' Meetings

Order :—

Government observe that there being mere rules for the conduct of business and not bye-laws requiring their sanction, the Board are themselves competent to frame them and give effect to them. The Rules are therefore remitted to the President for disposal.

Councillor & the Diwan's C.S.

JB 3/8/03.

Fm Secy to Govt

To The President, Mc Commr Bangalore city

President Mc Com' Mysore & the Local Authorities